

March 18, 2011

TO: Sen. Jim Shockley  
FROM: Pam Bunke

~~CONFIDENTIAL~~ 4  
DATE 3/21/11  
HB 446

RE: Response to comments by Steve Cape

Steve Cape, speaking for an organization he calls the Montana Coalition for Safety and Justice, said the following during the March 15 hearing on HB446 before the Senate Judiciary Committee. The bill addresses homeless offenders discharging from correctional facilities. Here is what he said:

*"What generally happens, cuz I am from Great Falls, if they come from the regional prison and are released, they are usually dropped off at the rescue mission."*

*"If they come from Shelby, we call it the Easter egg hunt, because we never know where they are. Shelby tends to drop them off either at the city limits or could be downtown and it could be anywhere from midnight to 12 in the afternoon. They are generally released without medications sometimes or money because their gate money is coming in the form of a check. So they know they're going to have money in the mail but they have no home to receive the mail."*

*"If somebody is just thrown out on the streets, then what happens to them especially when they are homeless, it is a recipe for disaster."*

#### **Analysis**

We looked at the past six months of releases from Crossroads Correctional Center in Shelby. We found:

- 213 releases
- 159 of those (74.6%) were transferred to another correctional facility or to the custody of the U.S. Marshals Service.
- Of the remaining 54 inmates released:
  - 38 were on probation or parole
  - 16 discharged their sentences
- Of the 38 placed on probation or parole:
  - 10 went to other states for supervision
  - 4 went to Billings
  - 4 went to Havre
  - 3 went to Butte
  - 3 went to Great Falls
  - 3 went to Kalispell
  - 2 went to Missoula
  - 2 went to Cut Bank
  - 2 went to Helena
  - 1 each went to Bozeman, Glasgow, Hardin, Miles City, Shelby
- Of the 16 discharging their sentences when released:
  - 10 were taken to Great Falls bus depot (each one has a bus ticket provided for pre-determined destination)
  - 4 had families pick them up
  - 1 was taken to Great Falls airport
  - 1 was taken to Amtrak station in Shelby

#### **Timing**

Mr. Cape's claim that inmates leaving Crossroads are routinely discarded on Great Falls streets at all hours of the night is unsubstantiated and false.

The inmate releases (the point where an inmate is released outside Crossroads or the transport ends) occurred between 8:59 a.m. and 3:47 p.m. Most of the releases occurred between 9 a.m. and 11 a.m. Among those who discharged their sentences, the release times ranged from 9:31 a.m. and 2:33 p.m. Of the offenders released at the Great Falls bus depot, the times were between 9:55 a.m. and 2:23 p.m. no one was "thrown out on the streets."

**There were no instances in which any offender was released in Great Falls in the evening, middle of the night or early morning hours.**

Those moving to probation or parole have plans developed with the help of the institutional probation and parole officer. The plans include arrangements for housing and employment. The IPPOs also work on housing with those who are discharging their sentences, but those offenders are not required to work with the officers. Sherill Powell-Balsley, IPPO at Crossroads, said less than one out every 100 inmates leaving Crossroads may not have a place to live.

### **Money**

Inmates leaving Crossroads have three possible sources of money; personal account, offender welfare fund (OWF) and \$100 in gate money. No one leaves without money. Each offender gets gate money. Those eligible for OWF money leave without it only they fail to apply for it at least a week before their release. Those receiving gate money and/or OWF money are transported to downtown Shelby to cash the checks. Those failing to apply in a timely fashion for OWF money upon discharge will have their checks mailed to them at an address provided to the institutional probation and parole officer during the discharge planning process.

### **Medications**

Offenders with prescriptions leave Crossroads with 30 days worth of medications. Those on probation and parole have access to a program that helps them with the cost of maintaining their prescriptions.

### **GPS Monitoring**

Mr. Cape also told the committee that sex offenders wear GPS bracelets, but that they become nothing more than "expensive jewelry" because homeless offenders have no place to recharge the batteries. He said this happens in Florida and Ohio. He presented no evidence, and we know of none, that this occurs in Montana.

### **Followup**

In response to a request for more specific information to support his allegations, Mr. Cape called Pam Bunke, Adult Community Corrections Division administrator, on March 18. He provided first names of two inmates (Adam and Shawn) who he claims were discarded in Great Falls within the past month. We could find no Shawn released within the past six months. The only Adam was Adam Fleury, who was released March 4 and immediately went to Idaho for supervision under the interstate compact. Mr. Cape also cited Robert Benton as another example of an offender supposedly abandoned in Great Falls. Benton was released in July 2006 and went to the Great Falls Rescue Mission for about three months before moving to an apartment building.

### **Conclusion**

Mr. Cape's allegations of a wholesale disregard for the situation of offenders leaving Crossroads are without foundation and patently false.

*NOTE: Mr. Cape has been on parole since June 2005. He has spent 1,339 days in prison, including 2 ¾ years in Crossroads, for aggravated assault in 1998. The website for his organization criticizes the DOC for what it calls "costly ineffective policies" that do not increase public safety, increase the potential for repeat offenses and "trap families in low income without an opportunity."*